

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3183 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE PRADIP KUMAR SARKAR

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

NATIONAL ASSOCIATION FOR BLIND

Versus

NORTH GUJ UNIVERSITY

Appearance:

MS HANSA B PUNANI for Petitioner

Mr. Mazgaonkar for MR SN SHELAT for Respondent No. 1

Ms. B.R. Gajjar, GOVT PLEADER for Respondent No. 2

CORAM : MR.JUSTICE PRADIP KUMAR SARKAR

Date of decision: 24/04/2000

ORAL JUDGEMENT

Heard Mr. Mazgaonkar, learned counsel for the
Respondent no.1 and Ms. B.R. Gajjar, learned AGP for
respondent State. No one appears for the petitioner.

Learned counsel appearing on behalf of North Gujarat University submitted that when the case was filed by the petitioner, challenging the action of the University for not admitting blind students for B.Ed. course, at that time there was no facility in North Gujarat University for teaching the blind students . Learned counsel for the respondent submitted that since there was no infrastructure in North Gujarat University for teaching blind students in B.Ed , the University was not in a position to admit the blind students.

Since there is no infrastructure or teaching staff for imparting education to the blind students in the North Gujarat University, I do not find any illegality on the part of the North Gujarat University for not admitting the blind students. If the blind students are admitted in the University for B.Ed. course then there must be teaching staff to teach the blind students. Since the University had no infrastructure for imparting education to the blind students at the time when the case was filed, I am of the view that the steps taken by the University cannot be said to be illegal or erroneous. Further the case was filed in 1990 and I do not think the petitioner-blind students will wait for this much period for their admission in B.Ed. course. Keeping this fact in view, the matter is closed as dismissed. Rule discharged. Interim relief if any granted shall stand vacated. No order as to costs.

Dt: 24-4-2000

(P.K. Sarkar, J)

/vgn